



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Ulrich KLAR et al.

Serial No.: 10/631,011

Group Art Unit: 1626

Filed: July 31, 2003

Examiner: Taofig A. Solola

For: NEW EFFECTOR CONJUGATES, PROCESS FOR THEIR PRODUCTION AND  
THEIR PHARMACEUTICAL USE

**INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §§ 1.56, 1.97 and 1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This information disclosure statement is made in accordance with 37 C.F.R. §§ 1.56, 1.97 and 1.98 as follows:

Timing and Fees

- ☒ Under 37 C.F.R. § 1.97(b), no fee or statement is required for filing this information disclosure statement is filed:
- ☐ within three months of the filing date of a national application other than a CPA under § 1.53(d);
  - ☐ within three months of the actual filing date of the national phase of a PCT application; OR
  - ☒ before the mailing of a first substantive office action (including after filing of an RCE).
- ☐ Under 37 C.F.R. § 1.97(c), this information disclosure statement is filed after the periods specified in 37 C.F.R. § 1.97(b), but before the mailing date of:
- a final rejection under 37 C.F.R. 1.113;
  - termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2); OR
  - a notice of allowance under 37 C.F.R. § 1.311; and

is accompanied by:

- ☐ the statement as specified in 37 C.F.R. § 1.97(e) set out below; OR
- ☐ a check covering the fee of \$180.00 under 37 C.F.R. § 1.17(p).
- ☐ Under 37 C.F.R. § 1.97(d), this information disclosure statement is filed after the mailing date of the following actions which have not been withdrawn:
  - ☐ a final action under 37 C.F.R. § 1.113;
  - ☐ termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2);
  - ☐ OR a notice of allowance under 37 C.F.R. § 1.311;

AND is filed on or before payment of the issue fee; AND is accompanied by:

the statement as specified in 37 C.F.R. § 1.97(e) as set forth below, and the fee of \$180.00 under 37 C.F.R. § 1.17(p).

Statements Under 37 C.F.R. 1.97(e)

- ☐ Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application having a mailing date not more than three months prior to the filing date of this information disclosure statement; or
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the undersigned attorney after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of the information disclosure statement.

Cited Materials

- ☐ Copies of materials listed but not attached were cited in benefit (35 U.S.C. § 120) ancestor application Serial No. \_\_\_\_\_, on Form 892 by the Examiner and/or Form 1449 by the applicant; see 37 C.F.R. § 1.98(d).
- ☐ Copies of materials listed but not attached were cited in an international search report dated \_\_\_\_\_.
- ☐ Not required by 37 CFR § 1.98.
- ☒ Copies of the materials listed are attached (except for the foregoing).

### Non-English Language References

☐ An English-language search report or equivalent paper from a foreign patent office is provided indicating the relevance of the cited reference(s).

☐ A foreign-language search report from a foreign patent office is provided, and pertinent parts are translated substantively below:

X = document of particular relevance when it is taken alone

Y = document of particular relevance when it is combined with another such document

A = document defining the general state of the art

O = non-written disclosure

P = intercalated document

T = document cited to understand the theory or principle underlying the invention

E = patent document which has the benefit of a date earlier than the filing date and which was published only on or after this filing date

D = cited in the application

L = cited for another reason

& = publication of member of same patent family

☐ Translation of other relevant information on foreign search report

[insert necessary translation here]

### Other Information


#### Payment of Fees Due (If Any):

☐ A check for \$\_\_\_\_\_ covering the fee identified above is attached.

☐ Please charge to Deposit Account No. 13-3402 \$\_\_\_\_\_ for the fee identified above.

☒ The Commissioner is hereby authorized to charge or credit any overpayment to Deposit Account #13-3402, two copies of this paper are attached for this purpose.

Respectfully submitted,

  
\_\_\_\_\_  
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Attorney Docket No.: SCH-2049

Date: May 16, 2006

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 2

### Complete if Known

Application Number	10/631,011
Filing Date	July 31, 2003
First Named Inventor	Markus BERGER et al.
Group Art Unit	1626
Examiner Name	SOLOLA, Taofiq A.
Attorney Docket Number	Sch-2049

### U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code <sup>2</sup> (if known)		
	001	6,864,330		Schneider et. At.	March 8, 2005
	002	2004/0242854		Osborn et al.	December 2, 2004

### FOREIGN PATENT DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	003	EP	0121350		SMITHKLINE BECKMAN	10-10-1984		
	004	WO	03/005026		AMERSHAM BIOSCIENCES ET AL.	01-16-2003		002
	005	EP	1156053		NAT STARCH CHEM	11-21-2001		
	006	WO	94/11021		CORTECH INC	05-26-1994		
	007	DE	10041221		DEUTSCHES KREBSFORCH	03-14-2002		001
	008	WO	01/64650		SLOAN KETTERING INST CANCER ET AL.	09-07-2001		
	009	WO	01/92255		KOSAN BIOSCIENCES INC ET AL.	12-06-2001		
	010	WO	01/83800		KOSAN BIOSCIENCES INC ET AL.	11-08-2001		

Examiner  
Signature

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached. Number refers to English language corresponding family member.

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 2 of 2

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Group Art Unit	1626
Examiner Name	SOLOLA, Taofiq A.
Attorney Docket Number	Sch-2049

### NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	011	BERSUKER I B ET AL: "IMPROVED ELECTRON-CONFORMATIONAL METHOD OF PHARMACOPHORE IDENTIFICATION AND BIOACTIVITY PREDICTION. APPLICATION TO ANGIOTENSIN CONVERTING ENZYME INHIBITORS" JOURNAL OF CHEMICAL INFORMATION AND COMPUTER SCIENCES. 2000 NOV-DEC, vol. 40, NO. 6, November 2000 pages 1363-1376	
	012	WANG LAI-XI ET AL: "CARBOHYDRATE-CENTERED MALEIMIDE CLUSTER AS A NEW TYPE OF TEMPLATES FOR MULTIVALENT PEPTIDE ASSEMBLING: SYNTHESIS OF MULTIVALENT HIV-1 gp41 PEPTIDES." BIOORGANIC AND MEDICINAL CHEMISTRY, vol. 11, no. 1, 2 January 2003, pages 159-166	
	013	REGHUNADHAN NAIR C P ET AL.: "FREE RADICAL COPOLYMERISATION OF N-(4-HYDROXY PHENYL) MALEIMIDE WITH VINYL MONOMERS: SOLVENT AND PENULTIMATE-UNIT EFFECTS" EUROPEAN POLYMER JOURNAL, PERGAMON PRESS LTD. OXFORD, GB., vol. 35, no. 10, 28 July 1999, pages 1829-1840	
	014	KALGUTKAR A S ET AL.: " INACTIVATION OF PROSTAGLANDIN ENDOPEROXIDE SYNTHASE (PGHS) BY N-(SUBSTITUTED) MALEIMIDES" ADVANCES IN EXPERIMENTAL MEDICINE AND BIOLOGY. 1997, vol. 407, 1997, pages 79-85	

Examiner  
Signature

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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